




**THE SECRETARY OF COMMERCE**

Washington, D.C. 20230

FEB 11 2000

MEMORANDUM FOR ALL COMMERCE EMPLOYEES

FROM: William M. Daley 

SUBJECT: Policy Statement on Equal Employment  
Opportunity Alternative Dispute Resolution

Alternative Dispute Resolution (ADR) is a term that covers many alternatives to the traditional methods for resolving conflicts or disputes. In February 1996, President Clinton issued Executive Order 12988, "Civil Justice Reform", which directs that, whenever feasible, claims should be resolved through informal discussions, negotiations, and settlements. The President then issued a May 1, 1998, memorandum to agencies directing them to facilitate and encourage agency use of ADR, including mediation. Also, effective November 9, 1999, the Equal Employment Opportunity Commission (EEOC) required all agencies to establish or make available an ADR program for both the informal and formal Equal Employment Opportunity (EEO) complaint stages.

I am firmly committed to using alternative methods for resolving disputes in all Department activities, where appropriate and feasible. I am pleased that the Office of Civil Rights offers ADR as a constructive tool for resolving discrimination complaints at the earliest possible opportunity. Used properly, ADR can provide faster, less expensive and contentious, and more productive results in eliminating workplace discrimination. These problem-solving processes aim to resolve disagreements without the pursuit of more adversarial administrative processes or litigation.

I want the Department of Commerce to be recognized as an agency that cares for its employees, that places a high priority on effective conflict resolution at the lowest possible level, and that has an ongoing commitment to improving our workplace environment. All employees and managers are encouraged to take advantage of the ADR opportunity as a creative problem-solving technique for resolving allegations of discrimination. The Department's EEO Offices stand ready to provide you with written information about ADR. I particularly look forward to receiving full compliance of managers in their good faith use of mediation to resolve disputes at the lowest levels in the organization. Through all of your efforts, we can create a workplace that allows parties in conflict to prevail in working constructively together to accomplish the business of Commerce.